

The Kantrow Law Group, PLLC
Proposed Counsel to Official Committee
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 11
Case No.: 21-70611-reg

BARNET LOUIS LIBERMAN,

Debtor.
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**APPLICATION FOR ENTRY OF ANY ORDER AUTHORIZING THE
RETENTION OF THE KANTROW LAW GROUP, PLLC, AS
BANKRUPTCY COUNSEL TO THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS**

TO: THE HON. ROBERT E. GROSSMAN
UNITED STATES BANKRUPTCY JUDGE

The Official Committee of Unsecured Creditors (“the Committee”) of Barnet Louis Liberman, the debtor and debtor-in-possession (the “Debtor”), as and for its application for entry of an order, pursuant to section 1103(a) of title 11 of the United States Code (the “Bankruptcy Code”), and Rule 2014 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) granting authority to retain The Kantrow Law Group, PLLC, as its counsel under a general retainer, dated April 30, 2021, respectfully represents as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over this application pursuant to 28 U.S.C. § 157(b). Venue of this proceeding and this application is proper pursuant to 28 U.S.C. §§ 1408 and 1409. The statutory predicate for the relief requested herein is § 1103(a) of the Bankruptcy Code and Bankruptcy Rule 2014.

BACKGROUND

2. On April 1, 2021 (the “Petition Date”), the Debtor filed a voluntary petition for relief under the Bankruptcy Code with the United States Bankruptcy Court for the Eastern District of New York. The Debtor has continued in the management of his property as a debtor-in-possession pursuant to §§ 1107 and 1108 of the Bankruptcy Code. No trustee or examiner has been appointed.

3. On April 23, 2021, the United States Trustee for the Eastern District of New York appointed the Committee consisting of the following three (3) members: James E. and Bernice Bookhamer, Russell L. Nype, and Jacob M. Toledano. The initial 341 meeting is scheduled for May 7, 2021. On April 30, 2021, the Committee selected The Kantrow Law Group, PLLC, as its counsel to represent the Committee in all matters during the pendency of the Debtor’s chapter 11 case.

RETENTION OF THE KANTROW LAW GROUP, PLLC

4. The Committee respectfully submits that it requires counsel pursuant to § 1103(a) of the Bankruptcy Code, to, *inter alia*:

- a. Advise the Committee with respect to its rights, duties and powers in the case;
- b. Assist the Committee in its consultations with the Debtor relative to the administration of this case;
- c. Assist the Committee in analyzing the claims of the Debtor’s creditors and in negotiations with such creditors;
- d. Assist with the Committee’s investigation of the acts, conduct, assets, liabilities and financial condition of the Debtor and the operation of the Debtor’s business;
- e. Assist the Committee in its analysis and negotiations with the Debtor or any third party concerning matters related to the realization by creditors of a recovery on claims and other means of realizing value in this case;

- f. Review with the Committee whether a plan of reorganization should be filed by the Committee or some other third party and if necessary, draft a plan and disclosure statement;
- g. Assist the Committee with respect to consideration by the Court of any disclosure statement or plan prepared or filed pursuant to § 1125 of the Bankruptcy Code;
- h. Assist and advise the Committee with regard to its communications to the general creditor body regarding the Committee's recommendations on any proposed plan of reorganization or other significant matters in this case;
- i. Represent the Committee at all hearings and other proceedings;
- j. Assist the Committee in its analysis of matters relating to the legal rights and obligations of the Debtor in respect of various agreements and applicable laws;
- k. Review and analyze all applications, orders, statements of operations, and schedules filed with the Court and advise the Committee as to their propriety;
- l. Assist the Committee in preparing pleadings and applications as may be necessary in furtherance of the Committee's interests and objectives; and
- m. Perform such other legal services as may be required and/or deemed to be in the interest of the Committee in accordance with its powers and duties as set forth in the Bankruptcy Code.

5. The Committee believes that The Kantrow Law Group, PLLC, possesses extensive knowledge and expertise in the areas of law relevant to this chapter 11 case and that it is well qualified to represent the Committee in this proceeding.

6. Upon information and belief, The Kantrow Law Group, PLLC, does not represent and does not hold any interest adverse to the Debtor's estate or its creditors in the matters upon which it is to be engaged, except to the extent as set forth in the affidavit of Fred S. Kantrow, as a

member of The Kantrow Law Group, PLLC (the “Kantrow Affidavit”), annexed hereto and made a part hereof. The Committee has been advised that The Kantrow Law Group, PLLC, has no connections with the Debtor, his creditors, or other parties in interest in this case, except as disclosed in the Kantrow Affidavit. The Kantrow Law Group, PLLC, submits, however, that it may have represented certain other of the Debtor’s creditors or other entities that consider themselves parties in interest in matters unrelated to this chapter 11 case.

7. Because the full extent of the legal services to be performed are unknown at this time, the Committee believes that the employment of The Kantrow Law Group, PLLC, under a general retainer is appropriate and in the best interest of the Committee.

8. It is contemplated that The Kantrow Law Group, PLLC, will seek compensation based upon normal hourly billing rates in effect for the period in which services are performed and will seek reimbursement of necessary and reasonable out-of-pocket expenses in accordance with the applicable provisions of the Bankruptcy Code, the Bankruptcy Rules and the United States Trustee’s Guidelines for reviewing motions for compensation and reimbursement of expenses filed pursuant to § 330, as well as the Local Rules and further Orders of this Court.

9. The Kantrow Law Group, PLLC, will charge the Committee as its regular hourly rates which include \$600.00 per hour for partner time and \$325.00 per hour for associate time. These rates are subject to adjustment from time to time. It is the firm’s policy to charge its clients for disbursements and expenses incurred in connection with its services, including, without limitation, telephone and facsimile usage, computerized research, messengers, couriers, postage, and fees related to trials and hearings. The Kantrow Law Group, PLLC, will charge for these expenses in a manner and at rates consistent with those made generally to its other clients, applicable law, and the guidelines of the Eastern District of New York.

10. No previous application for the relief sought herein has been made to this or any other court.

WHEREFORE, the Committee respectfully requests that an Order be entered authorizing it to retain The Kantrow Law Group, PLLC, as its counsel in this proceeding pursuant to a general retainer together with such other and further relief that this Court deems just and proper under the facts and circumstances herein.

Dated: Syosset, New York
April 30, 2021

THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS

BY: S/Jim Bookhamer
Committee Chair